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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/628,211

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Paul Joseph Brady

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11/21/2006

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EXAMINER

STACE, BRENT S

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/628,211

Applicant(s)

BRADY ET AL.

Examiner

Brent S. Stace

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2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

09/19/2006

- 1) ☒ Responsive to communication(s) filed on 22 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 9, 10, 15, 17, 18 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 9, 10, 15, 17, 18 and 21-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Remarks*

1. This communication is responsive to the amendment filed August 22<sup>nd</sup>, 2006. Claims 1-3, 9, 10, 15, 17, 18 and 21-26 are pending. In the amendment filed August 22<sup>nd</sup>, 2006, Claims 1, 10, 18, and 25 are amended, Claims 4-8, 11-14, 16, 19, 20, and 27 are canceled, and Claims 1, 10, 18, and 25 are independent Claims. The examiner would like to note that Claim 15's status identifier of "currently amended" is incorrect. No amendment has been made to this claim and the status identifier should be "previously presented." This status identifier should be corrected in future correspondence(s) with the Office to recognize the claim's actual status. The examiner acknowledges that no new matter was introduced and the claims are supported by the specification.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 22<sup>nd</sup>, 2006 has been entered.

***Response to Arguments***

3. Applicant's arguments filed August 22<sup>nd</sup>, 2006 with respect to claims 1-3, 9, 10, 15, 17, 18 and 21-26 have been considered but are not persuasive.

4. As to the applicant's arguments with respect to Claim 1 for the prior art(s) allegedly not disclosing "the interexchange carrier uses the notification to decided whether to connect the suspended call to the called party," the examiner respectfully disagrees. Boughman, specifically col. 7, lines 10-14, teaches that a call may be automatically completed when the MSC is messaged/notified if/when the call is a non-toll call. The call must be completed by the MSC/interexchange since Boughman teaches that no user call notification/interaction/completion is done upon determining if the call is a non-toll call (as can also be seen in Boughman, Fig. 2). The limitations of the claim are taught by the prior art(s) as claimed.

5. As to the applicant's arguments with respect to Claims 10, 18, and 25 for the examiner allegedly not providing a motivation or suggestion to make the claimed combination obvious in view of the prior art(s), the examiner respectfully disagrees. In the claim rejections below, there should be sufficient motivation to combine the references, the making the claimed invention obvious.

In response to applicant's argument that Cochrane and Kung are allegedly nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443

(Fed. Cir. 1992). In this case, Cochrane and Kung are reasonably pertinent to the particular problem with which the applicant was concerned. Additionally, Cochrane and Kung are associated in the same field of database technology as is Akinpelu.

As for the prior art(s) not suggesting a desirability to combine the references as shown below, the examiner respectfully disagrees. As shown below in exemplary Claim 10's rejection,

"It would have been obvious to one of ordinary skill in the art at the time of invention to take the querying method(s) from Cochrane and Kung and install them into the method of Akinpelu, thereby offering the obvious advantage of determining the best and correct query to perform to get the appropriate data to reduce query impact on the database thereby gaining support for querying other databases from one location,"

Akinpelu, col. 5, 60-65 teaches methods of accessing/querying databases, which includes querying databases from one location. Additionally, combining the reference guarantees that one location, in sending queries, will send valid queries if the databases between the connections happen to use different types of databases requiring different query formats. Also, issuing valid queries not only guarantees system integrity, but when it issues optimized queries based on cost, it also increases the speed of the system making calls connect faster. Therefore, not only is the motivation suggested by the prior art(s), but the motivation is also suggested by knowledge generally available to one of ordinary skill in the art.

6. As to the applicant's arguments with respect to Claim 23 for Zebryk allegedly not disclosing "receiving a request requesting an identification of the local service provider of a caller," the examiner respectfully disagrees. Zebryk, in the current Office action or

in the prior Office action, was not cited as teaching this limitation; therefore, this argument is invalid. Akinpelu was cited in teaching this limitation.

7. The other claims argued merely because of a dependency on a previously argued claim(s) in the arguments presented to the examiner, filed August 22<sup>nd</sup>, 2006, are moot in view of the examiner's interpretation of the claims and art and are still considered rejected based on their respective rejections from the first Office action (parts of recited again below).

### ***Response to Amendment***

#### ***Specification***

8. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

#### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

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the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

11. Claims 1 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,570,973 (Boughman et al.).

**Claim 1** can be mapped to Akinpelu as follows: "A method of identifying a local service provider of a caller in response to a telephone call from the caller to a called party, [Akinpelu, col. 2, lines 64-66 with Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 4, lines 45-59] the method comprising:

- receiving a request from a sender for an identity of the caller's local service provider, [Akinpelu, col. 2, lines 64-66 with Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 4, lines 45-59] the call having been suspended at a switch of an interexchange carrier; [Akinpelu, col. 4, lines 1-5]
- sending a request to an LNP database, based on a telephone number of the caller, [Akinpelu, cols. 3-4, col. 53-5] to determine which of a plurality of databases to query; [Akinpelu, col. 3, col. 53-63]

- receiving an identification of a database to query from the LNP database;  
[Akinpelu, col. 3, col. 53-63]
- determining a message type to send to the identified database to query;  
[Akinpelu, col. 4, lines 1-11 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33] and
- launching a query to the identified database; [Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33]
- ...sending a notification to the sender [Akinpelu, col. 6, lines 20-25 with Akinpelu, col. 4, lines 45-59] comprising identifying information of the identified local service provider of the caller [Akinpelu, col. 6, lines 20-25] and whether an agreement exists between the identified local service provider and the interexchange carrier” [Akinpelu, col. 4, lines 45-59].

Akinpelu discloses the above limitation but does not expressly teach:

- “...wherein the interexchange carrier uses the notification to decide whether to connect the suspended call to the called party.”

With respect to Claim 1, an analogous art, Boughman, teaches:

- “...wherein the interexchange carrier uses the notification to decide whether to connect the suspended call to the called party” [Boughman, col. 3, lines 29-35 with Boughman, Fig. 2 with Boughman, col. 7, lines 10-14].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Boughman with Akinpelu because both inventions are directed towards the use of telecommunication systems.



Boughman's invention would have been expected to successfully work well with Akinpelu's invention because both inventions use telecommunication systems with databases and customers. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose using the notification to decide whether to connect the suspended call to the called party. Boughman discloses a system and method for toll notification when placing a call comprising notifying the user of whether a toll call is being placed and the MSC (interexchange carrier) deciding from the indication notification from the IN database whether or not to connect the call (based on user interaction or that call status (toll or not toll)).

It would have been obvious to one of ordinary skill in the art at the time of invention to take the notification from Boughman and install it into the method of Akinpelu, thereby offering the obvious advantage of giving the customer an opportunity if they wish to complete the call or not based on the notification or automatically connecting the call if no toll charges will be inflicted (thereby avoiding user frustration).

Akinpelu does not explicitly teach "...receiving an identification of the caller's local service provider from the identified database in response to the query" since the originating caller's originating carrier is identified via a trunk identification or signaling information [Akinpelu, col. 4, lines 47-51] however, it is obvious to one of ordinary skill in the art that a caller's local service provider (carrier) is identified in the same manner that the terminating party's local service provider (carrier) is determined since the ANI is transmitted to the interexchange carrier [Akinpelu, col. 4, lines 5-7] and since a

telephone number is all that is required to determine the terminating (caller's) party's local service provider [Akinpelu, col. 4, lines 8-11]. Doing so would offer the obvious advantage of verifying the originating carrier through the national database(s). The citations that would support the mapping the limitation above to Akinpelu are "...receiving an identification of the caller's local service provider from the identified database in response to the query" [Akinpelu, col. 4, lines 29-33 with Akinpelu, col. 4, lines 45-59 (with additional focus on Akinpelu, col. 4, lines 47-51) with Akinpelu, col. 4, lines 5-11].

**Claim 9** can be mapped to Akinpelu (as modified by Boughman) as follows: "The method according to claim 1, wherein at least one of the plurality of databases comprises a line information database" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

12. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,570,973 (Boughman et al.), further in view of U.S. Patent No. 6,496,828 (Cochrane et al.).

For **Claim 2**, Akinpelu (as modified by Boughman) teaches: "The method according to claim 1."

Akinpelu (as modified by Boughman) discloses the above limitation but does not expressly teach: "wherein the determining of message type is based upon a cost associated with each of a plurality of available message types."

With respect to Claim 2, an analogous art, Cochrane, teaches: "wherein the determining of message type is based upon a cost associated with each of a plurality of

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available message types" [Cochrane, col. 8, lines 40-53 with Cochrane, col. 12, lines 17-29].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Cochrane with Akinpelu (as modified by Boughman) because both inventions are directed towards querying databases.

Cochrane's invention would have been expected to successfully work well with Akinpelu (as modified by Boughman)'s invention because both inventions use databases. Akinpelu (as modified by Boughman) discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu (as modified by Boughman) does not expressly disclose determining the message type is based upon a cost associated with each available message types. Cochrane discloses support for summary tables in a heterogeneous database environment comprising querying a database by selecting a least cost query for the database being queried.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the querying method(s) from Cochrane and install it into the method of Akinpelu (as modified by Boughman), thereby offering the obvious advantage of determining the best query to perform to get the appropriate data to reduce query impact on the database.

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13. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,570,973 (Boughman et al.), further in view of U.S. Patent No. 5,987,452 (Kung).

For **Claim 3**, Akinpelu (as modified by Boughman) teaches: "The method according to claim 1."

Akinpelu (as modified by Boughman) discloses the above limitation but does not expressly teach: "wherein the determining of message type is based upon the message type supported by the identified database."

With respect to Claim 3, an analogous art, Kung, teaches: "wherein the determining of message type is based upon the message type supported by the identified database" [Kung, cols. 6-7, lines 35-3 with Akinpelu, col. 5, lines 60-65].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Kung with Akinpelu (as modified by Boughman) because both inventions are directed towards querying databases used in telephone service.

Kung's invention would have been expected to successfully work well with Akinpelu (as modified by Boughman)'s invention because both inventions use databases. Akinpelu (as modified by Boughman) discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu (as modified by Boughman) does not expressly disclose that the determination of the message type is based upon the message type supported by each of the databases. Kung discloses a query translation system

comprising translating a query so that the query can be executed in a different database system.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the query methods from Kung and install it into the method of Akinpelu (as modified by Boughman), thereby offering the obvious advantage of gaining support for querying other databases from one location.

14. Claims 10, 15, 17, 18, 21, 22, and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,496,828 (Cochrane et al.), further in view of U.S. Patent No. 5,987,452 (Kung).

For **Claim 10**, Akinpelu teaches: "A method of identifying a local service provider of a caller in response to a telephone call from the caller to a called party, [Akinpelu, col. 2, lines 64-66 with Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 4, lines 45-59] the method comprising:

- monitoring integrated services digital network user part signaling traffic of a carrier for initial address messages; [Akinpelu, col. 3, lines 34-44 with Akinpelu, col. 4, lines 28-59]
- sending a request to an LNP database when the monitoring detects the telephone call, [Akinpelu, Fig. 3] based on a telephone number of the caller, [Akinpelu, cols. 3-4, lines. 53-5] to determine which of a plurality of databases to query [Akinpelu, col. 3, lines 53-63]

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- receiving an identification of a database to query from the LNP database;  
[Akinpelu, col. 3, col. 53-63]
- determining a message type in which to query the identified database, [Akinpelu, col. 4, lines 1-11 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33]
- ...launching a query to the identified database” [Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

Akinpelu discloses the above limitations but does not expressly teach:

- “...the determining based on a cost associated with each of a plurality of message types and based upon a message type supported by the identified database.”

With respect to Claim 10, an analogous art, Cochrane, teaches:

- “...the determining based on a cost associated with each of a plurality of message types” [Cochrane, col. 8, lines 40-53 with Cochrane, col. 12, lines 17-29 with Akinpelu, col. 5, lines 60-65].

With respect to Claim 10, an analogous art, Kung, teaches:

- “...and based upon a message type supported by the identified database” [Kung, cols. 6-7, lines 35-3 with Akinpelu, col. 5, lines 60-65].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Cochrane and Kung with Akinpelu because the inventions are directed towards querying databases.

Cochrane's and Kung's inventions would have been expected to successfully work well with Akinpelu's invention because the inventions use databases. Akinpelu discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu does not expressly disclose determining the message type is based upon a cost associated with each available message types and based upon a message type supported by the one of the plurality of databases. Cochrane discloses support for summary tables in a heterogeneous database environment comprising querying a database by selecting a least cost query for the database being queried. Kung discloses a query translation system comprising translating a query so that the query can be executed in a different database system.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the querying method(s) from Cochrane and Kung and install them into the method of Akinpelu, thereby offering the obvious advantage of determining the best and correct query to perform to get the appropriate data to reduce query impact on the database thereby gaining support for querying other databases from one location.

Akinpelu does not explicitly teach "...receiving an identification of the caller's local service provider from the identified database in response to the query" since the originating caller's originating carrier is identified via a trunk identification or signaling information [Akinpelu, col. 4, lines 47-51] however, it is obvious to one of ordinary skill in the art that a caller's local service provider (carrier) is identified in the same manner that the terminating party's local service provider (carrier) is determined since the ANI is

transmitted to the interexchange carrier [Akinpelu, col. 4, lines 5-7] and since a telephone number is all that is required to determine the terminating (caller's) party's local service provider [Akinpelu, col. 4, lines 8-11]. Doing so would offer the obvious advantage of verifying the originating carrier through the national database(s). The citations that would support the mapping the limitation above to Akinpelu are "...receiving an identification of the caller's local service provider from the identified database in response to the query" [Akinpelu, col. 4, lines 29-33 with Akinpelu, col. 4, lines 45-59 (with additional focus on Akinpelu, col. 4, lines 47-51) with Akinpelu, col. 4, lines 5-11].

**Claim 15** can be mapped to Akinpelu (as modified by Cochrane and Kung) as follows: "The method according to claim 10, wherein the launching is performed during the pendency of the telephone call" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

**Claim 17** can be mapped to Akinpelu (as modified by Cochrane and Kung) as follows: "The method according to claim 10, wherein at least one of the plurality of databases comprises a line information database" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

For **Claim 18**, Akinpelu teaches: "A system for identifying a local service provider of a caller associated with a telephone call from the caller to a called party, [Akinpelu, Figs. 1, 7 with Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 4, lines 45-59] the system comprising:

- a gateway comprising a plurality of platforms configured to dynamically load share requests, [Akinpelu, col. 3, lines 23-34] the gateway configured to



determine one of a plurality of message types in which to query one of a plurality of databases [Akinpelu, col. 3, col. 53-55 with Akinpelu, col. 4, lines 1-11 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33] to launch a query to one of the plurality of databases” [Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

Akinpelu discloses the above limitations but does not expressly teach:

- “...wherein the gateway determines the message type based upon a cost associated with each of a plurality of available message types and based upon a message type supported by the one of the plurality of databases.”

With respect to Claim 18, an analogous art, Cochrane, teaches:

- “...wherein the gateway determines the message type based upon a cost associated with each of a plurality of available message types” [Cochrane, col. 8, lines 40-53 with Cochrane, col. 12, lines 17-29 with Akinpelu, col. 5, lines 60-65].

With respect to Claim 18, an analogous art, Kung, teaches:

- “...and based upon a message type supported by the one of the plurality of databases” [Kung, cols. 6-7, lines 35-3 with Akinpelu, col. 5, lines 60-65].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Cochrane and Kung with Akinpelu because the inventions are directed towards querying databases.

Cochrane's and Kung's inventions would have been expected to successfully work well with Akinpelu's invention because the inventions use databases. Akinpelu discloses completing telecommunications calls in a competitive local and toll

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environment comprising querying a database, however Akinpelu does not expressly disclose determining the message type is based upon a cost associated with each available message types and based upon a message type supported by the one of the plurality of databases. Cochrane discloses support for summary tables in a heterogeneous database environment comprising querying a database by selecting a least cost query for the database being queried. Kung discloses a query translation system comprising translating a query so that the query can be executed in a different database system.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the querying method(s) from Cochrane and Kung and install them into the method of Akinpelu, thereby offering the obvious advantage of determining the best and correct query to perform to get the appropriate data to reduce query impact on the database thereby gaining support for querying other databases from one location.

Akinpelu does not expressly teach "the gateway receiving a request requesting an identification of the local service provider of the caller" and "to receive an identification of the local service provider of the caller" since the originating caller's originating carrier is identified via a trunk identification or signaling information [Akinpelu, col. 4, lines 47-51] however, it is obvious to one of ordinary skill in the art that a caller's local service provider (carrier) is identified in the same manner that the terminating party's local service provider (carrier) is determined since the ANI is transmitted to the interexchange carrier [Akinpelu, col. 4, lines 5-7] and since a telephone number (ANI) is all that is required to determine the terminating (caller's)

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party's local service provider [Akinpelu, col. 4, lines 8-11]. Doing so would offer the obvious advantage of verifying the originating carrier through the national database(s). The citations that would support the mapping the limitations above to Akinpelu are "the gateway receiving a request requesting an identification of the local service provider of the caller" and "to receive an identification of the local service provider of the caller" [Akinpelu, col. 4, lines 29-33 with Akinpelu, col. 4, lines 45-59 (with additional focus on Akinpelu, col. 4, lines 47-51) with Akinpelu, col. 4, lines 5-11].

**Claim 21** can be mapped to Akinpelu (as modified by Cochrane and Kung) as follows: "The system according to claim 18, wherein the request is received prior to the telephone call being connected to the called party" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

**Claim 22** can be mapped to Akinpelu (as modified by Cochrane and Kung) as follows: "The system according to claim 18, wherein the request is received during the pendency of the telephone call" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

**Claim 24** can be mapped to Akinpelu (as modified by Cochrane and Kung) as follows: "The system according to claim 18, wherein at least one of the plurality of databases comprises a line information database" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

**Claim 25** encompasses substantially the same scope of the invention as that of Claim 10, in addition to a computer readable medium and some code for performing the

method steps of Claim 10. Therefore, Claim 25 is rejected for the same reasons as stated above with respect to Claim 10.

**Claim 26** can be mapped to Akinpelu (as modified by Cochrane and Kung) as follows: "The computer readable medium according to claim 25, wherein at least one of the plurality of databases comprises a line information database" [Akinpelu, col. 3, lines 50-54 with Akinpelu, col. 5, lines 60-65 with Akinpelu, col. 4, lines 29-33].

15. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,661,792 (Akinpelu et al.) in view of U.S. Patent No. 6,496,828 (Cochrane et al.) in view of U.S. Patent No. 5,987,452 (Kung), further in view of U.S. Patent No. 4,975,942 (Zebryk).

For **Claim 23**, Akinpelu (as modified by Cochrane and Kung) teaches: "The system according to claim 18."

Akinpelu (as modified by Cochrane and Kung) discloses the above limitation but does not expressly teach: "wherein the request is received after the telephone call has been disconnected."

With respect to Claim 23, an analogous art, Zebryk, teaches: "wherein the request is received after the telephone call has been disconnected" [Zebryk, col. 3, lines 15-39 with Akinpelu, col. 4, lines 45-59].

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Zebryk with Akinpelu (as modified by Cochrane and Kung) because both inventions are directed towards the use of telecommunication systems.

Zebryk's invention would have been expected to successfully work well with Akinpelu (as modified by Cochrane and Kung)'s invention because both inventions use telecommunication systems with databases and customers. Akinpelu (as modified by Cochrane and Kung) discloses completing telecommunications calls in a competitive local and toll environment comprising querying a database, however Akinpelu (as modified by Cochrane and Kung) does not expressly disclose launching a query after the telephone call. Zebryk discloses a credit/calling card pay telephone method and system employing telephone unit local card-checking and other intelligence cooperative with local personal host computer comprising recording call information after the call has terminated.

It would have been obvious to one of ordinary skill in the art at the time of invention to take the notification from Zebryk and install it into the method of Akinpelu (as modified by Cochrane and Kung), thereby offering the obvious advantage of accurately recording call records of Akinpelu (as modified by Cochrane and Kung).

**Conclusion**

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is advised that, although not used in the rejections above, any prior art cited on the PTO-892 form and not relied upon is considered materially relevant to the applicant's claimed invention and/or portions of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent S. Stace whose telephone number is 571-272-8372 and fax number is 571-273-8372. The examiner can normally be reached on M-F 9am-5:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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